

Gender and Environmental Law. Challenges and opportunities for promoting the role of gender in environmental justice

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PANNEL 1: Environmental Law prospects as a tool for promoting gender and LGTBI+ Human Rights in the context of environmental struggles

The role of gender in the implementation of the Escazu Agreement: Challenges in guaranteeing the right of public participation.

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The Aarhus Convention and the Escazu Agreement are regional instruments aimed for States to guarantee the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters. The Escazu Agreement provides that States shall adapt conditions to guarantee those rights to the social, economic, cultural, geographical and gender characteristics of the public. However, the Escazu Agreement does not stipulate specific requirements with regards to gender relations in Latin America. Gender relations within the Latin American context are distinct from Europe. Despite the fact that women in Latin America have made progress in recent years regarding the gender gap, they continue to face numerous inequalities: they are at an increased risk of gender-based violence and face a lack of economic and political representation, and they are more likely to experience poverty than men. Women are also more likely to experience the negative effects of climate change and environmental damage, including being more susceptible to indoor air pollution (as a result of working more hours indoors per day than their male peers), and they are more likely to die during a natural disaster. In this context, this paper will analyze the role of the gender approach while implementing the obligation to guarantee the public participation in the environmental decision-making enshrined in the Escazu Agreement. For this purpose, we will present: 1) a brief reference to the structure of the Escazu Agreement vis a vis the Aarhus Convention; 2) The gender issue in Latin America as a pivotal element for inequalities and violence; and 3) the role of gender in guaranteeing the access to public participation in the environmental decision-making process.